

# Sills Cummis & Gross

A Professional Corporation

The Legal Center  
One Riverfront Plaza  
Newark, New Jersey 07102  
Tel: (973) 643-7000  
Fax (973) 643-6500

101 Park Avenue  
28<sup>th</sup> Floor  
New York, NY 10178  
Tel: (212) 643-7000  
Fax: (212) 643-6500

Joseph B. Fiorenzo  
Member  
Admitted In NJ, NY  
Direct Dial: 973-643-5499  
Email: jfiorenzo@sillscummis.com

600 College Road East  
Princeton, NJ 08540  
Tel: (609) 227-4600  
Fax: (609) 227-4646

May 12, 2016

**Via FedEx**

United States Environmental Protection Agency  
Region II  
290 Broadway  
New York, NY 10007-1866

**Attn:** Nicoletta Di Forte, Deputy Director for Enforcement

**Re: Diamond Alkali Superfund Site, Lower 8.3 Miles of Lower Passaic River,  
Essex and Hudson Counties, New Jersey**

Dear Ms. Di Forte:

Our firm is counsel to Alden Leeds, Inc., who is a party listed on Attachment 1 to your letter of March 31, 2016, related to a facility located at 2145 McCarter Highway, Newark, New Jersey.

The purpose of this letter is to notify you that Alden Leeds rejects the implication in your letter that it is a party responsible for the discharging of hazardous substances into the Lower Passaic River. During the long history of Alden Leeds, all of the products which the company has handled, stored or sold are 100% soluble and could not, under any circumstance, have contributed to the pollution of the Passaic River. In addition, the record will reflect that at no time has our client ever discharged into the river. Indeed, it is in the business of manufacturing products utilized by the public for cleaning water in swimming pools. Accordingly, even if the Alden Leeds materials were discharged (which they were not) they would have the effect of cleaning water, not polluting it with hazardous substances. As you note in your letter, your investigation has found "dioxin, pesticides and other hazardous substances," as well as "PCBs,



**Sills Cummis & Gross**  
A Professional Corporation

United States Environmental Protection Agency

May 12, 2016

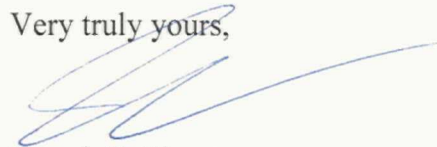
Page 2

mercury, metals and pesticides.” None of these could possibly be a byproduct of the swimming pool cleaning materials manufactured and sold by Alden Leeds.

In light of these undeniable facts, Alden Leeds should be removed from your list of other potentially responsible parties.

Please advise of whether you will act accordingly.

Very truly yours,



Joseph B. Fiorenzo

JBf:pkf